

PHA 5-Year and Annual Plan

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB No. 2577-0226
Expires 4/30/2011

1.0	PHA Information PHA Name: <u>Lincoln County PHA</u> PHA Code: <u>MO199</u> PHA Type: <input type="checkbox"/> Small <input type="checkbox"/> High Performing <input type="checkbox"/> Standard X HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>10/2009</u>					
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: _____ Number of HCV units: <u>2049</u>					
3.0	Submission Type <input type="checkbox"/> 5-Year and Annual Plan <input checked="" type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only					
4.0	PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)					
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program	
					PH	HCV
	PHA 1:					
	PHA 2:					
	PHA 3:					
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.					
5.1	Mission. State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years:					
5.2	Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.					
6.0	PHA Plan Update (a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission: There are no changes to the PHA Plan elements since its last submission. (b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. The public may obtain copies of the 5-Year and Annual PHA Plan at the North East Community Action Corporation (NECAC) office at 815 Business Hwy 61 North, Bowling Green, MO 63334. The following elements listed below are readily available to the public: Eligibility, Selection and Admissions policies, Financial resources, rent determinations, operation and management, grievance procedures, civil rights certification and violence Against Women Act. Notification of Rights Under the Violence Against Women Act Section 8 Housing Choice Voucher Program Owner/Manager A new federal law reauthorizing the 2005 Violence Against Women Act (VAWA) and signed into law January 5, 2006, provides certain rights and protections to Section 8 assisted tenants and member of their household. Protection Against Eviction or Termination of Assistance					

1. Under VAWA, if an applicant or participant in the Section 8 program is otherwise eligible, the fact that the applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission.
2. VAWA also states that an incident or incidents of actual or threatened domestic violence, dating violence or stalking:
 - a. Will not be considered to be a “serious or repeated” violation of the lease if the tenant is the victim of the incident of actual or threatened domestic violence, dating violence or stalking, and
 - b. Shall not be good cause for terminating the tenant’s assistance, tenancy, or occupancy rights if the tenant is the victim of such actual or threatened domestic violence, dating violence or stalking.

This means that the tenant may not be evicted, nor may his or her assistance be terminated, based on such an incident of actual or threatened domestic violence, dating violence or stalking where the tenant is the victim.

3. In addition, although you may evict a tenant for certain types of criminal activity as provided in the lease, and the housing agency may terminate a household’s assistance in such cases, VAWA states that you may not evict, or terminate tenancy or occupancy rights if the criminal activity is
 - a. Directly related to domestic violence, dating violence or stalking: and
 - b. Engaged in by a member of the household, or any guest, or another person under the tenant’s control: and
 - c. The tenant or a member of the tenant’s immediate family is the victim or threatened victim of this criminal activity.

PORTABILITY TO A NEW LOCATION

As you may know, Section 8 households in good standing may move to another location after one year of assistance and their assistance will follow them. However, the law does not allow this if the family was in violation of its lease when it moved. VAWA creates an exception where a family has complied with all other Section 8 requirements but moved out in violation of their lease in order to protect the health or safety of an individual who:

Was or is the victim of domestic violence, dating violence or stalking, and
Reasonably believe he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit.

CERTIFICATION

If you notify a tenant that you intend to terminate the tenant’s tenancy based on a matter that is an incident of domestic violence, dating violence, or stalking, and the tenant claims protection against eviction or termination of assistance under VAWA, you must contact your county office staff. Your tenant will be given a HUD-approved certification form in order to document the incidents in question. The tenant will have 14 business days from receipt of the form to complete it and return to North East Community Action Corporation (NECAC). Other forms may be considered for verification. If the tenant does not complete this task within the time allowed, he or she will not have protection under VAWA and you may proceed with terminating tenancy and evicting the tenant without reference to VAWA.

	<p>CONFIDENTIALITY Information provided to you relating to the fact that the tenant or another member of the tenant's household is a victim of domestic violence, dating violence, or stalking must be retained by you in confidence. This information may not be shared or disclosed by you or your agents or employees without the tenant's consent except as necessary for an eviction proceeding or as otherwise required by law.</p> <p>LIMITATIONS VAWA provides certain limitations and clarifications concerning tenants' rights as described above. In particular, you should know that nothing contained in VAWA:</p> <ol style="list-style-type: none"> 1. Prevents you from terminating tenancy and evicting, for any violation not involving domestic violence for which VAWA provide the protections described above. However, you may not, in such cases, apply any more demanding standard to the tenant that you would to other Section 8 assisted families. 2. Prevents you from terminating tenancy and evicting where you can demonstrate "an actual and imminent threat to other tenants or those employed at or providing services to the property". Where you can demonstrate such a threat, the tenant will not be protected from termination of tenancy and eviction by VAWA. 3. Limits your ability to comply with court orders addressing rights of access to or control of the property. This includes civil protection entered for the protection of the victim or relating to destruction or possession of property. 4. Supersedes any federal, state or local law that provides greater protections than VAWA. <p>OWNER OR MANAGER RIGHT TO REMOVE PERPETRATOR OF DOMESTIC VIOLENCE VAWA also creates a new authority under Federal law that allows an owner or manager of a Section 8 assisted property to evict, remove, or terminate assistance to any individual tenant or lawful occupant of the property who engages in criminal acts of physical violence against family members or others. This may be done without evicting or taking any other action adverse to the other occupants.</p>
7.0	<p>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. <i>Include statements related to these programs as applicable.</i> Lincoln County PHA continues to administer the HCV Homeownership Program. The Lincoln County PHA does not limit the number of families who participate in the HCV Homeownership program. The Lincoln County PHA requires that financing for purchase of a home under its Section 8 Homeownership will be provided, insured or guaranteed by the state or Federal government; comply with secondary mortgage market underwriting requirements; and comply with accepted private sector underwriting standards. Currently, there are 40 families purchasing a home through the HCV Homeownership program.</p>
8.0	<p>Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.</p>
8.1	<p>Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing.</p>
8.2	<p>Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.</p>
8.3	<p>Capital Fund Financing Program (CFFP). <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.</p>
9.0	<p>Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.¹ The Lincoln County PHA understands the most important factors for the families in this jurisdiction are affordability, supply and quality</p>

	of housing. Currently, there are 1000 families on the Lincoln County PHA waiting list. There are 300 single persons and 700 families waiting for housing rental assistance. With the current economic climate, many families on the waiting list are requesting rental assistance. At this time, Lincoln County PHA cannot assist new families with rental assistance because of the funding limitations. The Lincoln County PHA waiting list has been closed for over a year. Numerous calls are received daily from families that are in need of rental assistance.
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9.1	Strategy for Addressing Housing Needs. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.
10.0	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5- Year Plan. The Section 8 Homeownership program currently has 40 families purchasing their homes. Homeownership classes continue on a regular basis. There continues to be a great deal of interest in the homeownership program and currently there are 8 additional families who are getting ready to close on their homes. The Section 8 Housing Choice Voucher Program continues to be marketed to landlords within the jurisdiction. Many landlords contact this office to inquire about the HCV program and are sent landlord packets. The Family Self Sufficiency Program continues to be an incentive to families to succeed in their employment and in purchasing a home.</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification" Substantial deviations or significant amendments or modifications are defined as discretionary changes in plans or policies of the Lincoln County PHA that fundamentally change the mission, goals, objectives of the Lincoln County PHA and that require formal approval by the Lincoln County PHA Board.</p>

11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</p> <p>(a) Form HUD-50077, PHA Certifications of Compliance with the PHA Plans and Related Regulations (which includes all certifications relating to Civil Rights) (b) Form HUD-50070, Certification for a Drug-Free Workplace (PHAs receiving CFP grants only) (c) Form HUD-50071, Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only) (d) Form SF-LLL, Disclosure of Lobbying Activities (PHAs receiving CFP grants only) (e) Form SF-LLL-A, Disclosure of Lobbying Activities Continuation Sheet (PHAs receiving CFP grants only) (f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations. (g) Challenged Elements (h) Form HUD-50075.1, Capital Fund Program Annual Statement/Performance and Evaluation Report (PHAs receiving CFP grants only) (i) Form HUD-50075.2, Capital Fund Program Five-Year Action Plan (PHAs receiving CFP grants only)</p>
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Resident Advisory Board comments – the Resident Advisory Board met and they did not have any comments regarding the PHA Annual Plan.
